

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
May 13, 2014**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, May 13, 2014 at 7:00 p.m. in regular session with Mayor Pro tem Terry Hill presiding, and the following present to wit:

Jose Luis Aguilar	Bill Rogers
Kent Bratcher	Nora Sanchez
Manuel Madrid Jr	Jeff Youtsey
Raul Rodriguez	

The following were absent:

Mayor Phillip Burch (*joined the meeting at 7:32 p.m.)
Terry Hill

Also present:

Aubrey Hobson, City Clerk-Treasurer
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez, and all joined in the Pledge of Allegiance.

Consent Agenda

Councilor Aguilar moved to approve the Consent Agenda as written. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: *April 22, 2014 – Regular meeting
2. Consideration of Bids:
3. Contracts, Leases and Agreements:
 - A. *Approval of Contract for City Services Connection with Guillermo Orquiz for 210 N. Paris
 - B. Approval to award a 3-year contract for audit services for FY 2013-2014 to Griego Professional Services (subject to approval by State Auditor)
4. Appointments:
 - A. Approval of the re-appointment of Ken Moore to the Commission on Aging Advisory Board (term to expire June 2016)
 - B. Approval of the re-appointment of Oscar Sosa to the Commission on Aging Advisory Board (term to expire June 2016)
 - C. Approval of the re-appointment of Dorothy Frazee to the Commission on Aging Advisory Board (term to expire June 2016)
 - D. Approval of the appointment of Juanita Molina to the Commission on Aging Advisory Board (term to expire June 2016)
5. Resignations:
 - A. Accept the retirement of Gabriel Herrera, Street Department Equipment Operator, effective June 1, 2014
 - B. Accept the resignation of Tarra Williams, Recreation Specialist, effective April 30, 2014
 - C. Accept the resignation of Lionel Barrera, Solid Waste Department Equipment Operator, effective May 1, 2014

7. *Travel and Training:

- A. F&A – Ratification of Mayor Burch's approval for one (1) employee to attend the How to Deliver Exceptional Customer Service training in El Paso, TX. Request actual expenses
- B. F&A – Ratification of Mayor Burch's approval for one (1) employee to attend the ICIP workshop in Albuquerque, NM. Request actual expenses
- C. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the Defensive Tactics Mandated Refresher course in Hobbs, NM. Request actual expenses
- D. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the Nuc/Rad planning meeting in Santa Fe, NM. Request actual expenses
- E. F&A – Permission for one (1) employee to attend a How to Manage People training in Carlsbad, NM. Registration is the only cost
- F. Library – Ratification of Mayor Burch's approval for one (1) employee to participate in the online training Engaging Teens with Digital Media. Registration is the only cost
- G. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the Law Enforcement Coordinators' Symposium in Albuquerque, NM. Request actual expenses
- H. Infrastructure – Permission for one (1) employee to attend the Integrated Control System training in Albuquerque, NM. Request actual expenses
- I. Police – Permission for one (1) employee to attend a Crime Scene Reconstruction I training in Hobbs, NM. Request actual expenses
- J. Police – Permission for two (2) employees to attend the NM 2014 Sexual Assault conference in Albuquerque, NM. Request actual expenses
- K. Police – Permission for one (1) employee to participate in the online training Basic Criminal Investigation. Registration is the only cost
- L. Police – Permission for one (1) employee to attend the Law Enforcement Supervision, Management and Leader training in Denver, CO. Request actual expenses
- M. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the Law Enforcement Coordinator's Symposium in Albuquerque, NM. Request actual expenses
- N. Police – Permission for one (1) employee to attend the Safer NM Roadblock Coordinator's meeting in Artesia, NM. No costs
- O. Legislative – Permission to attend the MOLI 2014 Advanced Program in Santa Fe, NM. Request actual expenses and mileage
- P. Police – Permission for one (1) employee to attend the FERO training in Artesia, NM. No costs
- Q. Fire – Permission for one (1) employee to attend the IFSAC Fire Officer I training in Albuquerque, NM. Request actual expenses
- R. Fire – Permission for one (1) employee to attend the Paramedic Internship in Dallas, TX. Request actual expenses
- S. Executive – Permission to travel to Glynco, GA as part of the Chamber of Commerce contingent. Request actual expenses

8. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):

9. Routine Requests for City Facilities:

- A. *Artesia Arts Council has requested the use of the Heritage Walkway on Thursday evenings from May 15, 2014 – August 28, 2014 and Tuesday evenings from June 10, 2014 – July 15, 2014 from 7:30 pm – 10:15 pm for their annual Summer Movies.
- B. *7024U has requested the use of MLK Park on Friday, May 23, 2014 from 11 am – 4 pm for the annual Schools Out Summer Splash. Request approval of use of city services and road closures as stated on application and waiver of fees.

10. Budgeted Items:

11. Non-budgeted Items:

12. *Payment of Bills

Public Hearings

Mayor Pro tem Hill declared the meeting open for public hearing for the following:

1. Consideration and approval of an ordinance for a replat for Bowman Estates Subdivision, Block 3, Lots 8, 9, 10, 11 & 12, located on Lolita Court, Section 7, T17S, R26E.

Acting Community Development Director Cheryl Hinkle reported that this replat request would increase the alley size to allow room for the solid waste vehicles.

Planning and Zoning recommended passage.

No public comment was received.

Councilor Bratcher moved to approve the Bowman Estates Replat, Ordinance No. 934. The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.

ORDINANCE NO. 934

2. Consideration and approval of a zoning variance (storage building) request for the Artesia Credit Union, located at 504 West Chisum Ave., Fairview Addition, Block 36, Lot 4, SU-1 "Special Use" zoning district.

Ms. Hinkle reported that the Artesia Credit Union has requested this variance to allow them to have a parking lot and a storage building on the recently acquired property.

Planning and Zoning recommended passage.

No public comment was received.

Councilor Rodriguez moved to approve the zoning variance for the Artesia Credit Union, at 504 W. Chisum. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Committee Reports

Administrative Services

City Clerk Aubrey Hobson reported that the media center for the Museum has been bid twice and has come in \$412,000 over budget each time. Councilor Youtsey moved to approve a budget adjustment for the media center at the Museum in the amount of \$412,000, Resolution No. 1539. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

RESOLUTION NO. 1539

Councilor Rogers moved to award the bid for the Museum Media Center to Southwest CM, LLC. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Personnel

Councilor Rodriguez, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire David Davies to the position of Solid Waste Equipment Operator II, at a salary of \$2,141 per month (CA16). The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Rodriguez, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire Arturo Morales to the position of Solid Waste Equipment Operator II, at a salary of \$2,141 per month (CA16). The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Councilor Bratcher, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, moved to hire Rob Rushton to the position of Certified Police Officer, at a salary of \$3,886 per month (CA28). The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

Councilor Rodriguez moved to hire summer youth, summer recreation and splash pad attendants (from the approved list) at the following salaries (subject to successful completion of required pre-employment testing):

Recreation Aid/Leaders	\$7.50 per hour
Splash Pad Attendants	\$7.75 per hour
Summer Youth Workers	\$7.50 per hour

The motion was seconded by Councilor Madrid and upon vote, the motion passed.

Councilor Rodriguez moved to adjust the salary for Laura Simon, Library Supervisor to \$5,000 per month (CA-39) effective April 1, 2014. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

Mayor Burch joined the meeting at 7:32 p.m.

Human Resources Director Bill Thalman gave a presentation on the changes to the proposed employee benefits package. Mr. Thalman reported that the challenge was to maintain benefits without raising premium costs. Mr. Thalman reviewed the proposed changes to the health insurance plan and noted that as a result, there would be no increase in premiums for 2014-15. Mayor Pro tem Hill moved to approve the employee benefits package for 2014-15 as presented. The motion was seconded by Councilor Madrid and upon vote, with Councilor Aguilar voting "nay", the motion passed.

Councilor Rogers moved to award the bid for employee health insurance to Blue Cross Blue Shield for 2014-2015. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

Public Safety

Police

Chief Raley presented the department statistics for April.

Fire

Division Chief Rick Burks presented the department statistics for April.

Community Development

Rebecca Prendergast, representing Artesia MainStreet, reported that she had met with the Infrastructure department regarding public safety issues and the proposed bronze statues at 2nd and Quay. Ms. Prendergast reported that she would bring additional information to the Council as it became available.

Recreation Director Luis Reyes reported on the recent Artesia Colorful Run. Mr. Reyes reported that 636 participants had registered, with 172 runners from out of town. Over 100 volunteers assisted with the project and there are plans to continue this event next year.

Esther Frazee requested the Council rescind Resolution No. 1536, the condemnation of structures at 506 W. Chisum. Ms. Frazee reported that she had been ill and had to rely on friends to help clean things up. It was further discovered that Ms. Frazee is not the owner of record of the property.

Roxanna Frazee requested the Council rescind Resolution No. 1537, the condemnation of structures at 508 W. Chisum. Ms. Frazee stated that she and her mother were trying to sell both properties together and that she had not been able to do anything with the property due to a pending divorce. It was disclosed that there had been problems with this property since 2007.

Councilor Bratcher moved to uphold the condemnation of structures at 506 and 508 W. Chisum, Resolution No. 1536 and 1537. The motion was seconded by Councilor Aguilar and upon vote, with Councilors Aguilar and Rodriguez voting “nay”, the motion passed.

Acting Community Development Director Cheryl Hinkle distributed the department statistics for April.

Ms. Hinkle noted that the State has recently turned over permitting for commercial buildings to the City.

Infrastructure

Infrastructure Director Byron Landfair reported on the status of projects.

City Clerk

Councilor Rodriguez moved to approve the Memorandum of Agreement (MOA) with the Chamber of Commerce for the 2014 Chamber of Commerce Delegation trip to Glynco, GA. The motion was seconded by Mayor Pro tem Hill and upon vote, the motion passed.

Councilor Bratcher moved to release the Housing Authority of the City of Artesia, from the liability for payment in lieu of taxes for the period July 1, 2014 to June 30, 2015, Resolution NO. 1540. The motion was seconded by Councilor Rodriguez and upon vote, the motion passed.

RESOLUTION NO. 1540

The 2014-2015 draft interim budget was discussed. Councilor Rogers reported that the one largest item that was not in the budget was the City Hall Annex –2014-15 cost of \$3,000,000, and that the Council as a group needed to determine if the project should be added, as it would lower the reserves from \$18 million to \$15 million

Aubrey Hobson and Byron Landfair were instructed to put together a list of the on-going projects in comparison to the capital outlay projects.

Mayor

Councilor Bratcher, moved that in accordance with 10-15-1-H(2) & (8), the Council and Mayor go into executive session regarding limited personnel matters (disciplinary action of a Police Department employee) and the sale of real property. The motion was seconded by Councilor Aguilar and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Bratcher, Hill, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

the motion passed.


Mayor Burch declared a short recess at 9:35 p.m.
Council recessed to executive session at 9:40 p.m.
Council reconvened at 10:30 p.m.

Councilor Rodriguez moved that the only matters discussed in executive session pertained to the limited personnel or the sale of real property, and no action was taken. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

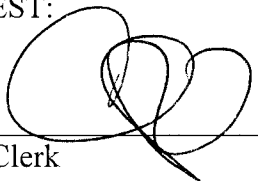
Staff was directed to continue the process to sell the property at 1st and Texas and the lot at the Industrial Park.

Councilor Youtsey moved to termination the employment of probationary Detention Officer, Karl Parks, effective May 12, 2014. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 10:35 p.m. May 13, 2014.


Mayor

ATTEST:



City Clerk